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Co-Lead Counsel for Plaintiffs and the Class
[Additional Counsel on Signature Page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

EDWARD BLASCO, Individually and on
Behalf of All Others Similarly Situated,

Plaintiffs,

v.

KEURIG GREEN MOUNTAIN, INC.,
BRIAN P. KELLEY, and FRANCES G.
RATHKE,

Defendants.

Case No.: 3:15-cv-02766-VC

**STIPULATION AND [PROPOSED]
ORDER VOLUNTARILY DISMISSING
THE ACTION PURSUANT TO FED. R.
CIV. P. 41(a)(1)(A)(ii)**

1 Lead Plaintiffs Jessica Lee, Alan Schlussel, and Lawrence E. Wilder (“Plaintiffs”) and
2 Defendants Keurig Green Mountain, Inc. (“Keurig”), Brian P. Kelley, and Frances G. Rathke
3 (collectively “Defendants”) by and through their respective counsel of record, hereby stipulate as
4 follows:

5 WHEREAS, on March 23, 2016, Plaintiffs filed the Second Consolidated Amended Class
6 Action Complaint (Dkt. No. 103);

7 WHEREAS, after careful considerations the parties to this Stipulation have conferred and
8 believe that this action should be dismissed with prejudice;

9 WHEREAS, Plaintiffs and Defendants agree that all parties will bear their own fees and
10 costs incurred in connection with this litigation;

11 WHEREAS, a class has not yet been certified in this action, making the requirements of
12 Rule 23(e) inapplicable to this dismissal; and

13 WHEREAS, no payment has been made to Plaintiffs or their attorneys for this dismissal.

14 NOW, THEREFORE IT IS HEREBY STIPULATED AND AGREED THAT, Plaintiffs
15 and Defendants, by and through their undersigned counsel, hereby agree and stipulate to the
16 following:

- 17 (1) Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the above-captioned action is
18 voluntarily dismissed with prejudice;
- 19 (2) Plaintiffs and Defendants will bear their own fees and costs; and
- 20 (3) Defendant Keurig’s Motion for Sanctions (Dkt. No. 119) is withdrawn.

21 SO STIPULATED AND AGREED TO BY:

1 Dated: July 8, 2016

GLANCY PRONGAY & MURRAY LLP

2
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Co-Lead Counsel for Plaintiffs and the Class

25 Dated: July 8, 2016

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10 *Mountain, Inc.*

11 Dated: July 8, 2016

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26 *Attorneys for Defendants Brian P. Kelley*
27 *and Frances G. Rathke*

CIVIL L.R. 5-1 ATTESTATION

I, Joshua L. Crowell, am the ECF User whose ID and Password are being used to file this STIPULATION AND [PROPOSED] ORDER VOLUNTARILY DISMISSING THE ACTION PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(ii). In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Anne Johnson Palmer, and Robert S. McWhorter, counsel for Defendants, have concurred to its filing.

s/ Joshua L. Crowell
Joshua L. Crowell

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____, 2016

THE HONORABLE VINCE CHHABRIA
UNITED STATES DISTRICT JUDGE

STIPULATION AND [PROPOSED] ORDER VOLUNTARILY DISMISSING THE ACTION
PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(ii)

Case No. 3:15-cv-02766-VC

**PROOF OF SERVICE VIA ELECTRONIC POSTING PURSUANT TO NORTHERN
DISTRICT OF CALIFORNIA LOCAL RULES AND LOCAL CIVIL RULE 5-1**

I, the undersigned, say:

I am a citizen of the United States and am over the age of 18 and not a party to the within
action. My business address is 1925 Century Park East, Suite 2100, Los Angeles, California 90067.

On July 8, 2016, I served the following document:

**STIPULATION AND [PROPOSED] ORDER VOLUNTARILY DISMISSING THE
ACTION PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(ii)**

By posting the document to the ECF Website of the United States District Court for the
Northern District of California, for receipt electronically by the parties as listed on the attached
Court's ECF Service List.

And on any non-ECF registered parties:

By U.S. Mail: By placing true and correct copies thereof in individual sealed envelope: with
postage thereon fully prepaid, which I deposited with my employer for collection and mailing by the
United States Postal Service. I am readily familiar with my employer's practice for the collection and
processing of correspondence or mailing with the United States Postal Service. In the ordinary course
of business, this correspondence would be deposited by my employer with the United States Postal
Service that same day.

I certify under penalty of perjury under the laws of the United States of America that the
foregoing is true and correct. Executed on July 8, 2016, at Los Angeles, California.

s/ Joshua L. Crowell

Joshua L. Crowell

Mailing Information for a Case 3:15-cv-02766-VC Blasco v. Keurig Green Mountain, Inc. et al

Electronic Mail Notice List

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)